

**REMARKS**

Examiner's comments in the Office Action marked "FINAL" and dated November 13, 2007 have been read and carefully considered by Applicant. In view of such comments, Applicant has herein opted to retain claims 9-19 in their present form for Examiner's reconsideration. At this same time, claim 5 remains cancelled while claims 1-4, 6-8, 20, and 21 remain withdrawn from Examiner's consideration. Since no other claims have been altogether cancelled and no entirely new claims have been added herein by Applicant, claims 9-19 thus remain in Applicant's present Application for Examiner's reconsideration.

At the present time, it is Applicant's good faith belief that claims 9-19, as presented herein, are both novel and non-obvious in view of all known prior art and that the claims properly comply with all applicable statutory requirements. Therefore, Applicant respectfully avers that the claims now place the present Application in a condition for allowance and notice thereof is respectfully requested.

**Amendments to the Drawings:**

In the present Amendment, Applicant respectfully requests entry of Figure 2 as amended herein. (See REPLACEMENT SHEET for Figure 2 submitted herewith.) In particular, in Figure 2 as amended, one of the two numerical designations "112" originally set forth in Figure 2 has been replaced with the numerical designation "114." Support in the written specification for making such an amendment to Figure 2 can be found in paragraphs 0056 and 0057. Therefore, in making such an amendment to Figure 2, Applicant respectfully maintains that no new matter has been impermissibly added to the present Application.

**Rejections of Claims under 35 U.S.C. § 103(a):**

In the Office Action, Examiner rejected claims 9-12 and 14-19 under 35 U.S.C. § 103(a) as being rendered obvious, and therefore unpatentable, by United States Patent Application Publication Number US 2002/0026274, which was published for Hiroto Morizane *et al.* on February 28, 2002 (hereinafter "Morizane"). Also, in the Office Action, Examiner rejected claim 13 under 35 U.S.C. § 103(a) as being rendered obvious, and therefore unpatentable, by Morizane in view of United States Patent Number 5,874,904, which was issued to Takehide

Hirabayashi on February 23, 1999 ("Hirabayashi"). In response, Applicant has herein opted to retain claims 9-19 in their present form for Examiner's reconsideration.

In particular, for Morizane and/or Hirabayashi to render the inventive subject matter set forth in Applicant's independent claim 9 obvious and therefore unpatentable, Morizane and/or Hirabayashi must generally teach or suggest

[a] method of initiating safety system operations onboard a vehicle, said method comprising the steps of:

(a) determining position coordinates of a single vision sensor relative to determined reference point coordinates onboard said vehicle;

(b) detecting at least one object proximate said vehicle with said single vision sensor and accordingly generating at least one object detection signal;

(c) determining at least one characteristic of an occupant onboard said vehicle with at least one occupant sensor and accordingly generating at least one occupant characteristic signal; and

(d) generating a safety system signal in response to said position coordinates of said single vision sensor, said at least one object detection signal, and said at least one occupant characteristic signal[.]

as required by Applicant's independent claim 9. Morizane and/or Hirabayashi, however, neither teach nor suggest such a "method of initiating safety system operations onboard a vehicle" that includes a step (c) of "determining at least one characteristic of an occupant onboard [the] vehicle with at least one occupant sensor and accordingly generating at least one occupant characteristic signal" and then a step (d) of "generating a safety system signal in response to ... position coordinates of [a] single vision sensor, ... at least one object detection signal, and ... at least one occupant characteristic signal," as now claimed and supported by Applicant. (See ¶¶ 0035, 0041, 0056, and 0057; see occupant sensors 30 in Figure 1; and see also steps 112 and 114 in Figure 2 of Applicant's present Application for subject matter support of independent claim 9.) In fact, neither Morizane nor Hirabayashi even mentions any utilization of onboard occupant sensors to help generate a safety system signal for initiating safety system operations onboard a vehicle.

In sum, therefore, since Morizane and Hirabayashi, either alone individually or in combination with each other, neither teach nor suggest the method as presently set forth in

Applicant's independent claim 9, Applicant respectfully avers that claim 9 is not rendered obvious by Morizane and/or Hirabayashi. Furthermore, since claims 10-19 are dependent on independent claim 9, Applicant also respectfully avers that claims 10-19 are not rendered obvious by Morizane and/or Hirabayashi either. In view of such, therefore, Applicant respectfully maintains that the subject matter set forth in claims 9-19 is patentable and thus requests that Examiner's rejections of claims 9-19 be withdrawn.

### **CONCLUSION**

In view of the claims as set forth herein and also the foregoing remarks, Applicant respectfully submits that claims 9-19 are both novel and non-obvious with respect to the disclosures and teachings of Morizane and Hirabayashi and that the claims now properly comply with all statutory requirements. Therefore, Applicant respectfully requests that Examiner's claim rejections in the Office Action be withdrawn and that a Notice of Allowance be issued for all claims 9-19.

Also, since this Amendment is being submitted substantially within two months of the outstanding Office Action dated November 13, 2007, Applicant herein respectfully requests an Advisory Action from Examiner should Examiner not issue a Notice of Allowance.

Lastly, should Examiner have any questions with respect to any matter now of record, Examiner is invited to contact Applicant's undersigned attorney.

Respectfully submitted,

**DICKINSON WRIGHT PLLC**



Thomas E. Donohue, Reg. No. 44,660  
38525 Woodward Avenue, Suite 2000  
Bloomfield Hills, Michigan 48304-5092  
telephone: (248) 433-7200  
facsimile: (248) 433-7274

Date: January 14, 2008